

### REMARKS

Claims 1-18 are rejected in view of AYERS (U.S. Patent 6,353,924) and MANN (U.S. Patent 6,009,270). Reconsideration of the rejection is respectfully solicited.

AYERS does not relate to user-defined trace data. Rather, AYERS relates to the automatic (machine implemented) instrumentation of code, preferably at the binary level (Column 4, Line 28). AYERS' automated approach does not show or suggest applicant's use of "user trace write commands". There are no "user trace write commands" in AYERS. Thus, rejection of the claim 1 limitation directed toward "user trace write commands" in view of AYERS is completely inappropriate.

Further, it is inappropriate to argue that AYERS shows or suggest the claim 1 limitation directed toward "each said user trace write command being a standard write command without trace code information identifying the type of data to be traced." Again, AYERS does not have any type of user trace write command. Accordingly, AYERS cannot fairly be said to teach this limitation.

The Examiner states that AYERS "shows this is done by use of a hash and hence is transparent to user and thus is analogous to without user intervention as described in Applicants specification on page 39, section 1140 and page 41, section 1148." Applicant does not understand how this position relates to the recited claim language. Reconsideration of the rejection or an explanation of the rejection is respectfully solicited.

In sum, the machine implemented instrumentation of code in AYERS fails to show or suggest the claimed user trace write commands of claim 1. MANN also fails to meet the limitations of the claims, as discussed in the previously filed amendment. Even if MANN did show or suggest the limitations of the pending claims, the combination of MANN and AYERS is inappropriate, since AYERS is limited to machine implemented instrumentation of code. Nothing in AYERS suggests the desirability of combination with a reference, such as MANN.

In view of the foregoing, independent claim 1 should be in a condition for allowance. Claims 2-7 are dependent upon claim 1 and therefore should also be in a condition for allowance. Claim 8 includes limitations of the type described in connection


with claim 1. Therefore, claim 8 and its dependent claims 9-14 should also be in a condition for allowance. Claims 15 and 16 include limitations of the type previously described. Thus, claims 15 and 16 and dependent claim 17 should also be in a condition for allowance. Finally, claim 18 includes limitations of the type discussed in connection with claim 1 and therefore should also be in a condition for allowance.

The Examiner is invited to contact the undersigned if there are any residual issues that can be resolved through a telephone call. The Commissioner is hereby authorized to charge or credit any appropriate fees to Deposit Account No. 03-3117.

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Respectfully submitted,  
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